GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA

UNSTARRED QUESTION NO:2345
ANSWERED ON:29.08.2007
IMPLEMENTATION OF 73RD AND 74TH AMENDMENT
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Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether the Government has taken any steps to implement the 73rd and 74th Amendments to the Constitution to give greater role to Panchayati Raj Institutions;

(b) if so, the number of States which have implemented the said Amendments; and

(c) the progress made therein so far?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR)

(a) to (c): The mandate of the Ministry of Panchayati Raj is to implement the 73rd Constitutional Amendment Act and also to ensure conformity to the Constitutional provisions of Part IX of the Constitution read with Article 243 ZD (74th Constitutional Amendment) of Part IXA relating to the District Planning Committees together with the Eleventh Schedule which sets out a list of 29 matters, to be considered by State Legislatures for devolution to the Panchayats. While the Ministry of Panchayati Raj has the responsibility to ensure conformity to these Constitutional provisions, the Constitution of India charges the States (not the Centre) with the responsibility for devolution. In other words, the processes and content of devolution of functions, finances and functionaries − the crux of Power to the Panchayats − are vested entirely in State Legislatures, reinforcing the inclusion of Panchayati Raj in the State List of the Seventh Schedule.

The first task before the Ministry was to evolve a national consensus in respect of the Roadmap for Panchayati Raj through mutual consultation between the Centre and the States. Ministry of Panchayati Raj convened Seven Round Tables of State Panchayati Raj Ministers with the Union Minister of Panchayati Raj between July and December 2004. The deliberations centered on the 18 identified dimensions of Panchayati Raj ranging from the effective Devolution of the Functions, Finances and Functionaries to District Planning, Training and Capacity Building and IT-enabled e-governance. At the conclusion of each Round Table, nearly 150 action points comprised in the Compendium were unanimously adopted by all Panchayati Raj Ministers and referred to Chief Ministers for their approval. This has become a National Roadmap for effective Panchayati Raj. Further, the Minister (Panchayati Raj) has visited 23 States and Union Territories and signed a joint declaration with the respective Chief Ministers of States setting forth the path to full empowerment of Panchayats.

The Ministry of Panchayati Raj is continually interacting with the State Governments to ascertain the effectiveness of PRIs. A Committee of Panchayati Raj Secretaries was constituted to monitor the progress and implementation of these 150 Action Points. This Committee of Secretaries headed by the Secretary, Ministry of Panchayati Raj would also service the Council of Panchayati Raj Ministers. The Committee of Secretaries has held nine meetings. The Council of Ministers has been convened thrice, at Kochi, Kerala in August 2005, at Bhubaneswar, Orissa in June 2006 and at Thiruvananthpuram, Kerala in August 2007, respectively. The Empowered Sub-Committee of National Development Council also reviews the progress of implementation of the provision of the Constitution during its meetings, which are held periodically. Most of these action points revolve around follow up measures on activity mapping, matching transfer of funds and functionaries, creation of Panchayat sector in the state budget, constitution and operational guidelines for the district Planning Committees within an agreed time frame.

The performance across the states in taking appropriate measures for streaming and empowering the Panchayati Raj Institutions regarding implementation of the 73rd and 74th Amendment has been uneven. While most of the states have devolved all or most of the 29 subjects of the Eleventh Schedule to the Panchayats through legislation, a corresponding translation of legislation into ground reality through assignment of activities under each subject/function to different levels of Panchayats along with transfer of funds, and functionaries to perform these activities is yet to be achieved. Eight states have completed activity-mapping exercises. Seven states namely Chattisgarh, Gujrat, Karnataka, Kerala, Madhya Pradesh, Maharashtra and Rajasthan have provided for a separate Panchayat Sector component in their budgets.

The devolution of funds, functions and functionaries to Panchayats need to be accompanied by the institutionalization of grassroots planning in conformity with the provisions of the constitution. Article 243 ZD of the constitution inserted by the 74th Amendment Act provides that there shall be constituted in every state at district level a District Planning Committee to consolidate the plans prepared by the Panchayats and the Municipalities in the district and to prepare a draft development plan for the district as a whole. District Planning Committees have been constituted in 15 states.